

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

	ORIGINAL DATE 2-19-07		
SPONSOR	Maestas	LAST UPDATED	HB 1003
	PUBLIC EMPLOYEE RETIREMENT INFO		
SHORT TITLE	DISCLOSURE	SB	
			ANALYST Aubel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the Attorney General (OAG)
 Public Employees Retirement Association (PERA)
 Office of the Secretary of State

SUMMARY

Synopsis of Bill

House Bill 1003 would amend NMSA Section 10-11-130I of the Public Employees Retirement Act to allow the Public Employees Retirement Association (PERA) to release, without written consent, the names and addresses of members and retired members to a nonprofit retirement organization for that organization's exclusive use if PERA is currently withholding a dues deduction for that organization. Information disclosed without release or consent of the member or retired member may not be distributed or used for commercial purposes.

FISCAL IMPLICATIONS

Unless the number of organizations qualified under HB 1003 increases significantly, HB 1003 should have little or no fiscal impact on PERA. Similarly, unless organizations qualified under HB 1003 for receiving names and addresses of members and retirees make multiple requests in any given calendar year; this bill should have little or no administrative or fiscal impact on PERA.

SIGNIFICANT ISSUES

The significant issue is who should be entitled to the name and address lists of PERA members and retirees.

The OAG notes that current law prohibits the release or inspection of information in files of members or retirees without written consent except applicable coverage plans, amounts of retirement plan contributions made by members and affiliated public employers, pension amounts paid and the names and addresses of public employees retirement association members or retirees requested for election purposes by candidates for election. This bill would allow the release of names and addresses of members and retired members to a “nonprofit retirement organization” if the Public Employees Retirement Association is currently withholding dues for that organization. Currently, PERA is withholding dues for the Retired Public Employees of New Mexico (RPENM) and the American Federation of State, Municipal and County Employees (AFSCME).

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Names and address of PERA members and retirees could not be released without the release and consent of the member, except as allowed by current statute.

1. How does the releasing of information to the qualified organizations benefit the members?

MA/nt